

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel for Daly City Serramonte Center, LLC

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Case No.: 23-13359 (VFP)

Chapter 11

Hearing Date:

Judge: Vincent F. Papalia

APPLICATION FOR ORDER SHORTENING TIME

The applicant, Daly City Serramonte Center, LLC (“Landlord”), requests that the time period for its motion to file under seal (the “Seal Motion”) the (i) *Supplemental Objection in Further Support of Opposition of Daly City Serramonte Center, LLC to Debtors’ Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3108* (the “Supplemental

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

Objection"); and (ii) *Declaration of Ernst A. Bell in Support of Objection of Daly City Serramonte Center, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3108* (the "Declaration"), as required by Fed. R. Bankr. P. 2002, be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), for the reasons set forth below:

1. Landlord requests a hearing on shortened time because, contemporaneously herewith, Landlord filed its Supplemental Objection and Declaration in connection with its opposition to the assignment of its lease, which assignment is currently scheduled to be heard by the Court on August 30, 2023 (the "Assignment Hearing"). The Seal Motion seeks to seal certain portions of the Supplemental Objection and Declaration. If this application is not granted, parties would have twenty-one (21) days to object to the Seal Motion, which would permit parties to file objections after the Assignment Hearing and would prevent Landlord from discussing certain important information contained in the Supplemental Objection and Declaration at the Assignment Hearing. Landlord respectfully requests that the Court enter an order shortening time to consider the Seal Motion such that the Seal Motion will be heard at or before the Assignment Hearing.

2. State the hearing dates requested: Before or at the hearing set for August 30, 2023.
3. Reduction of the time period is not prohibited under Fed. R. Bankr. P. 9006(c)(1).

The applicant requests entry of the proposed order shortening time.

Date: August 18, 2023

/s/ Robert L. LeHane

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In re:

Case No.: 23-13359 (VFP)

BED BATH & BEYOND INC., *et al.*,

Chapter 11

Debtors.¹

(Jointly Administered)

**ORDER SHORTENING TIME PERIOD FOR NOTICE,
SETTING HEARING AND LIMITED NOTICE**

The relief set forth on the following pages, numbers two (2) and three (3) is hereby

ORDERED.

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

Debtors: BED BATH & BEYOND INC., et al.

Case No. 23-13359 (VFP)

Caption of Order: ORDER SHORTENING TIME PERIOD FOR NOTICE, SETTING HEARING AND LIMITED NOTICE

After review of the application of Daly City Serramonte Center, LLC for a reduction of time for a hearing on *Motion for Entry of an Order Authorizing Daly City Serramonte Center, LLC to File Under Seal the (I) Supplemental Objection in Further Support of Opposition of Daly City Serramonte Center, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3108; and (II) Declaration of Ernst A. Bell in Support of Opposition of Daly City Serramonte Center, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3108*, under Fed. R. Bankr. P. 9006(c)(1), it is

ORDERED as follows:

1. A hearing will be conducted on the matter on _____
at _____ in the United States Bankruptcy Court, _____,
Courtroom No. _____.

2. The Applicant must serve a copy of this Order, and all related documents, on the following parties:

by each, any of the following methods selected by the Court:

fax, overnight mail, regular mail, email, hand delivery.

3. The Applicant must also serve a copy of this Order, and all related documents, on the following parties:

by each, any of the following methods selected by the Court:

fax, overnight mail, regular mail, email, hand delivery.

4. Service must be made:

Debtors: BED BATH & BEYOND INC., et al.

Case No. 23-13359 (VFP)

Caption of Order: ORDER SHORTENING TIME PERIOD FOR NOTICE, SETTING
HEARING AND LIMITED NOTICE

on the same day as the date of this order, or |

within _____ day(s) of the date of this Order.

5. Notice by telephone:

is not required

must be provided to _____

on the same day as the date of this Order, or

within _____ day(s) of the date of this Order.

6. A *Certification of Service* must be filed prior to the hearing date.

7. Any objections to said motion/application identified above:

must be filed with the Court and served on all parties in interest by electronic

or overnight mail _____ day(s) prior to the scheduled hearing; or

may be presented orally at the hearing.

8. Court appearances are required to prosecute said motion/application and any
objections.

Parties may request to appear by phone by contacting Chambers prior to the
return date.